

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

RABINOWITZ, LUBETKIN & TULLY, LLC

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Barry J. Roy

Proposed Counsel to Jay L. Lubetkin, Esq.,

Chapter 7 Trustee

In re:

ALICE A. JAY,

Debtor.

Case No. 19-24216 (JKS)

Chapter 7

Honorable John K. Sherwood

TRUSTEE'S OBJECTION TO CLAIMED HOMESTEAD EXEMPTION

Jay L. Lubetkin, Chapter 7 Trustee of the above-captioned bankruptcy estate, hereby files and serves his objection to the Debtor's claimed homestead exemption pursuant to 11 U.S.C. § 522(d)(1):

Factual Background

1. On July 23, 2019, the Debtor, *pro se*, filed a Voluntary Petition pursuant to the provisions of Chapter 7 of the United States Bankruptcy Code.

2. Jay L. Lubetkin was subsequently appointed as Chapter 7 Trustee (the "Trustee").

3. The Debtor, on Schedule A of her bankruptcy petition, identified an ownership interest in real property located at 108 Meyersville Road, Chatham, New Jersey (the "House").

4. The Debtor, on Schedule C of her bankruptcy petition, elected to take a homestead exemption of \$400,000 for the House pursuant to 11 U.S.C. § 522(d)(1).

5. Pursuant to the terms of the Bankruptcy Code, an individual is entitled to exempt only \$23,675 in equity in a homestead.

WHEREFORE, Jay L. Lubetkin, Chapter 7 Trustee, respectfully requests entry of an Order disallowing one of the Debtor's homestead exemption in the amount of \$400,000.

RABINOWITZ, LUBETKIN & TULLY, LLC

Dated: October 23, 2019

BY: /s/ Barry J. Roy
BARRY J. ROY

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